10

Home (1938) Department.

MS. SERIES.

G.O. No. 2926

DATED 8-6-1938

[Despatch Abstract.]

Establishment - Bench Court, Udipi - Employment of a clerk - Temporary - Sanctioned.

125

O.P. 30.

DEPARTMENT.

Received ASSISTANT SECRETARY TO GOVERNMENT 13 MAY 1938 HOME DEPARTMENT 192 *Registered* 17982 G 192

Subject.

14/15

ENCLOSURES.
No.
Spare copies

R.O.C. No. 2045/38-D3.

Station Madras, *Dated the* 11th May 1938. ~~193~~ .

From (Name) D. Appa Rao Esquire (Bar-at-law),

(Designation) Registrar, High Court, Madras.

To The Secretary to the Government of Madras,

Home Department.
(with enclosures).

Sir,

Establishment - First Class Bench Court, Udipi - appointment of ~~an attender~~ a Clerk.

pps 4 & pr

p 5 infra

I am directed to forward for orders of Government, the letters bearing No. Ref.C-1-1005/M/38 and dated 25th and 30th April 1938 from the District Magistrate of South Kanara and to state that in the circumstances stated therein, the Hon'ble the Judges recommend his request for the appointment of an attender clerk on Rs.19- 2/2 - 25 - 1/2 - 30 per mensem temporarily for a period of one year for attending to the work of the First Class Bench Court at Udipi.

The extra cost involved in the proposal will be met

from the existing budget grants for the current year under 27 g - Criminal Courts - Pay of Establishments - Voted.

I have the honour to be,

Sir,

Your most obedient servant,

Registrar.

V.R.S.

3

Ref.C1-1005/M/38.

S.Kanara Dt.Magistrate's Office,
Camp Surpur ~~Mangalore~~, 25th April 1938.

RECEIVED 28 APR 1938 HIGH COURT

2045/R 3

From

M.R.Ry. Rao Bahadur M. V. Vellodi, Avl., B.A.,
Dt.Magistrate of South Kanara.

To

The Secretary to Government,
Home Department,
M a d r a s.

Through

The Registrar,
High Court,
M a d r a s.

Sir,

Courts - I Class Bench of Magistrates - Udipi - Attender sanction - sought.

******

The I Class Bench Court at Udipi is being presided over solely by a non-official Vice-President ever since his appointment as such in 1933. The Bench holds its sittings in a ----- separate building. The clerical work of the Bench is now being done by the staff of the Sub Magistrate. Of late, the work of the Bench has increased very much and the Sub Magistrate complains that the regular work of his Court falls in arrears and that it will not be possible for his staff to do the Bench Court work in addition to the regular work of his court without ----- detriment to the latter work.

2. I enclose a statement showing the number of cases for disposal and that disposed of by the Bench Court from 1933 ---- onwards up to 1.4.1938 and of fines imposed and collected during the said period. It would be clear from the statistics that the work of the Bench Court has considerably increased. I do not think that any of the arrangements suggested in G.O.No.3663

Law (Genl.), dated 23.12.1924 are feasible. The employment of a part-time clerk will not be possible as the Bench is working the whole day during office hours. The Vice-President makes a modest request for the employment of an Attender and I think that his request is reasonable. I recommend therefore that an Attender i.e., a clerk on Rs.19-2/2-25-1/2-30 per mensem similar to the one sanctioned in G.O.No.Ms.5196, dated 22.12.1937 for the Kasargod Bench Court, may be sanctioned for the Bench Court, Udipi, temporarily for a period of one year commencing on the date of appointment for the performance of work connected with that Court.

For Dt.Magistrate.

******

Statement of cases in the I Class Bench Court of Udipi and of fines for the years 1934, 1935, 1936, 1937 and up to 1.4.1938.

******

Year.	Number of cases		Amount of fines	
	Received.	Disposed of.	Imposed. Rs.	Collected. Rs.
1934	318	313	829	812
1935	331	329	336	335
1936	301	293	460	467
1937	487	478	388	345
1938 up to 1.4.38.	199	173	112	112.
	about 796 for the year	about 692 for the year.		

South Kanara Dt.Magistrate's Office,
Camp ~~Mangalore~~ Surathkal, 25th April '38.

For Dt.Magistrate.

Ref.Cl-1005-M-38.

2122/D

South Kanara Dt. Magistrate's office,
Camp Feringapet, dated 30 - 4 -1938.

APPELLATE SIDE
RECEIVED
4 - MAY 1938
HIGH COURT

From

M.R.Ry. Rao Bahadur M.V.Vellodi, Avl., B.A.,
Dt. Magistrate of South Kanara.

To

The Secretary to Government,
Home Department,
M a d r a s.

Through

The Registrar,
High Court,
M a d r a s.

Sir,

Courts - I Class Bench of Magistrates, Udipi -attender sanction requested.

My letter Ref.Cl-1005/M/38 dated 25-4-1938. — pp 3-4 ante

I submit herewith the proposition statement which was omitted to be sent with my letter cited above. — p6 infra

For Dt.Magistrate.

2.5.38.

Try. XXXIII-10

Statement of Proposition

Code Form 5.

(*See* Chapter 5, Ar

Nature of Charge.											
Present scale.										Pr	
		Pay.						Average cost.			
Number (1)	Designation. (2)	Minimum. (3)		Increment. (4)		Maximum. (5)		(6)		Number. (7)	Designation. (8)
		RS.	A.	RS.	A.	RS.	A.	RS.	A.		
				N i l.							Attender clerk

S.Kanara Dt.Magistrate's office,
Dated 30 - 4 -1938.

NOTE.—If the proposal is a reorganization of establishment, the head of the Department should certify t to the provisions of Art. 129, C.S.R., and should specify any case in which the maximum pension

To

The Secretary to Government,

thro' the A

Revision of Establishment.

T. & A. 10—2,415—16-10-35. (5)

)7, Vol. I, C.A.C.)

scale.								Proposition.										
								Permanent.				Temporary.						
Pay.						Average cost.		Increase per month.		Decrease per month.		Increase per month.			Decrease per month.			Orders of the sanctioning authority.
Minimum.		Increment.		Maximum.				Amount.		Amount.		Period.	Amount.		Period.	Amount.		
(9)		(10)		(11)		(12)		(13)		(14)		(15)	(16)		(17)	(18)		(19)
RS.	A.	RS	A.	RS	A.	RS.	A.	RS.	A.	RS.	A.		RS.	A.		RS.	A.	
19-2/2-25-1/2-30.						25	-											

...ns to pension. Civil new entrants consequent on have been considered with reference ...rily admissible will be subject to relaxation under that article, M. T.M., para. 67.

If Local Government is competent to sanction, its order will be written across this column.

partment,

tant-General.

Signature

Officer's Designation For Dt. Magistrate.

Establishment - Bench court, Udipi - Temporary clerk - Appointment of.

C.f C.No.1708. L. From the High Court, R.O.C.No.2045/38-D3 dated 11-5-38.

p 1 c f

p 4 c f

p 3 c f

The High court recommends the request of the D.M.South Kanara for the appointment of a clerk on Rs 19-30 a month in the I class Bench court at Udipi, for a period of one year. The Bench is being presided over solely by a nonofficial ever since 1933, and the work of the Bench is now being done by the staff of the Sub Magistrate. The following statement compares the institutions and the establishment in other Bench court with that at Udipi:-

p 4 c f

Bench court	1933	1934	1935	1936	1937	1938	Establishm
Udipi	-	318	331	301	487	199 (upto 1-4-38) (796 for the year)	1 clerk on Rs 19-30 (proposed)
Kasargod	440	467	363	599	602 (upto 1-10-37)	-	1 clerk on Rs 19-30 & a peon on Rs 10 p.m.
Tekkali	49	95	223	455	293 (upto 23-[illegible]-1937)	-	1 clerk on Rs 30 & 1 peon on Rs 10 p.m.
Tenkasi	564	413	1051	602 (upto 1-7-36)	-	-	1 part-time clerk on Rs 1[illegible]
Sompeta	232	529	675	-	-	-	1 full time clerk.
Tchapur	296	282	585	-	-	-	1 full time clerk.
Dharmavaram	229	-	118 (till 30-9-35)	233 (till 31-8-36)	-	-	1 clerk on Rs 19-30 & a peon on Rs 1[illegible] - 17 p.m.
Vizianagaram	-	-	166	759	672	-	1 clerk and 1 peon.

Compare statement on p 9 ¶ 5 Ro 5196 Home (S) 22 12 37

From the statement above, it is observed that the institutions in the Bench court at Udipi compare favourably with those at Sompeta, Tchapur, Dharmavaram, Tekkali, Kasargod and Vizianagaram where there are full time clerks. It is reported that on account of increase of work in the Bench court the staff of the Sub Magistrate's office cannot attend to the work of the Bench court without detriment to their regular work. The [illegible]

8

ot think that any of the arrangements suggested in .O. 2863 L.C. dated 23-12-1924 are feasible. It is also reported that the employment of a part-time clerk will not be possible as the Bench is working the whole day during office hours. In the circumstances it is submitted that the proposal to appoint a clerk temporarily for the Bench court at Udipi may be agreed to. A draft order is submitted. It may be sent to Finance for acceptance.

20/5. 20/5

S

21.5

Fin

Finance E.I.

The draft order may be accepted in this department and the case returned to Home w.o.

4/6/38

6.6.38

Home.

Home

Finance E.I.

The draft order may be accepted in this department and the case returned to Home w.o.

Precis to be (S)
DS
Home

ASSISTANT SECRETARY TO GOVERNMENT
3 JUN 1938
FINANCE DEPT.

1980/EI
3/6/38

Finance w.o. 19801 EI-1
ASSISTANT SECRETARY TO GOVERNMENT 6.6.38.
-7 JUN 1938

19895 E
8.6.38

HOME DEPARTMENT

34/876

4

C.F. 16.

Home(E) Dept

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ..		
When copied ..		
When examined..		
When signed ..		
When despatched.		

SUBJECT :— Establishment - Bench Court, Udipi - Employment of a clerk - Temporary - Sanctioned

READ AGAIN _____, dated _____ 19____

" " _____ " _____ 19____

READ *ALSO* :— D.O. No. S. Jaimara, No. C-1 - 1005/38 R.O.C. Rs 25 & 30 - 4 - 38.

C. No. 17082-E From the High Court, Madras, No. 2045/38-D3 dated 11. 5. 19 38. C.f

" _____ " _____ " _____ " _____ 19____.

" _____ " _____ " _____ " _____ 19____.

~~Resolution~~ Order ~~Routine~~ Ms. No. 2926, dated 8-6. 19 38.

Seen by S.

Precedent in Ro 5796/24-12-37 Home (S)

The Govt sanction the employment, for a period of one year, of a clerk on Rs. 19-2/2-25-1/2-30 a month in the Bench Court at Udipi.

2/ The extra cost involved during the current year will be met from the existing budget grant under "27.g. Administration of Justice - Criminal Courts - B. Pay of establishments - Stipendiary Sub Magistrates, Bench Magistrates and other establishments - Voted."

3/ The following notification will be published in the Fort St. George Gazette :—

Mr. 1-2 cy

10 10

Notification.

In exercise of the powers conferred by paragraph (b) of Sub Section (2) of Section 241 of the Govt of India Act, 1935, H.E. the Governor is hereby pleased to make the following special rules:—

Rules.

The cadre of clerks, lower division in the Madras Ministerial Service shall be increased temporarily by one post in the Bench Court at Udipi for a period of one year commencing on the date of appointment of the clerk for the performance of work connected with that Court.

2. The general and special rules applicable to holders of permanent posts borne on the said cadre shall apply to the holder of the said temporary post subject to the following modification namely that there shall be paid to the holder of the said temporary post a pay calculated in the scale of Rs. 19-2½-25-½-30 a month.

Explanation: In this rule the expression "the holder of the said temporary post" means "the person counted against the post."

G.O. Ms. 15-12-52 (5)

11/6/52

To The D.M. South Kanara
" Hon'ble the C.J. (with C.L.)
" Finance Dept.
" A.G. through Finance
" S.G.P. for publication of notification
Copy to Pub. (Rules) Dept.